

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION OF AT&T COMMUNICATIONS OF	)	
THE SOUTH CENTRAL STATES, INC. FOR	)	
CONFIDENTIAL TREATMENT OF	)	
INFORMATION FILED IN SUPPORT OF ITS	)	CASE NO. 91-267
PRIVATE LINE SERVICE CONTRACT	)	
ARRANGEMENT WITH THE COMMONWEALTH	)	
OF KENTUCKY	)	

O R D E R

This matter arising upon petition of AT&T Communications of the South Central States, Inc. ("AT&T") filed July 11, 1991 pursuant to 807 KAR 5:001, Section 7, for confidential protection of the revenue, cost, and unit volume data contained in the Revenue Analysis and the rates, terms, and conditions contained in the Network Services Commitment Form and Description of Offering on the grounds that disclosure of the information is likely to cause AT&T competitive injury, and it appearing to this Commission as follows:

AT&T seeks to protect as confidential the revenue, cost, and unit volume data contained in its Revenue Analysis and the rates, terms, and conditions contained in its Network Services Commitment Form and Description of Offering which it has filed in support of its Private Line Service Contract Arrangement with the Commonwealth of Kentucky for which it seeks approval in this proceeding. The information sought to be protected is not known outside of AT&T and is known only to those AT&T employees who have

a legitimate business need to know and act upon the information. AT&T seeks to preserve the confidentiality of the information through all appropriate means.

807 KAR 5:001, Section 7, protects information as confidential when it is established that disclosure is likely to cause substantial competitive harm to the party from whom the information was obtained. In order to satisfy this test, the party claiming confidentiality must demonstrate actual competition and a likelihood of substantial competitive injury if the information is disclosed. Competitive injury occurs when disclosure of the information gives competitors an unfair business advantage.

The revenue, cost, and unit volume data and the rates, terms, and conditions regarding specific AT&T services would provide AT&T's competitors with pricing and market information regarding a specific customer which is not otherwise available. This information could be used by these competitors in pricing and marketing their services. Therefore, disclosure of the information is likely to cause AT&T competitive injury.


This Commission being otherwise sufficiently advised,

IT IS ORDERED that the revenue, cost, and unit volume data contained in the Revenue Analysis and the rates, terms, and conditions contained in the Network Services Commitment Form and Description of Offering, which AT&T has petitioned be withheld from public disclosure, shall be held and retained by this Commission as confidential and shall not be open for public inspection.

Done at Frankfort, Kentucky, this 7th day of August, 1991.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

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Commissioner

ATTEST:

  
Executive Director